

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PETER ANDREWS, DREAMBUILDER
HOLDINGS, LLC, DREAMBUILDER
INVESTMENTS, LLC, LIBERTY HOLDINGS
NYC, LLC, ARETE PORTFOLIO MANAGEMENT,
LLC and PETER ANDREWS on behalf of
DREAMBUILDER HOLDINGS, LLC,
DREAMBUILDER INVESTMENTS, LLC,
LIBERTY HOLDINGS NYC, LLC, ARETE
PORTFOLIO MANAGEMENT, LLC,

Plaintiffs,

-against-

PAUL W. VERNER,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/5/2019

19 Civ. 8451 (AT)

ORDER

On November 23, 2019, Plaintiffs moved to seal their reply memorandum, ECF No. 32, and supporting declaration and exhibits, ECF No. 33, in support of their motion for a default judgment. ECF No. 34. Plaintiffs stated that they made the motion “[i]n an excess of caution and in deference to defendant,” even though Plaintiffs “do not believe the memorandum or exhibits are privileged or contain confidential information.” *Id.* On November 25, 2019, Plaintiffs mailed a letter to the Clerk of Court asking that a hold be placed on the documents filed at ECF Nos. 32 and 33, pending this Court’s resolution of their motion.

This Court’s Individual Practices in Civil Cases requires any request to seal documents to “cite case law and provide a factual explanation that justifies the proposed sealing.” Rule IV(A)(ii). Plaintiffs’ motion does neither; to the contrary, the motion states that Plaintiffs believe sealing to be unjustified. Such a request not only fails to comply with this Court’s rules, but also plainly fails to meet the constitutional requirement of justifying “specific, on-the-record findings that sealing is necessary to preserve higher values and . . . is narrowly tailored to achieve that aim.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 124 (2d Cir. 2006). Accordingly, Plaintiffs’ motion to seal the documents at ECF Nos. 32 and 33 is DENIED.

The Clerk of Court is directed to remove the temporary hold placed on the documents at ECF Nos. 32 and 33, and to terminate the motion at ECF No. 34.

SO ORDERED.

Dated: December 5, 2019
New York, New York



ANALISA TORRES
United States District Judge